

Planning Commission Staff Report

November 15, 2018



Case No:	18ZONE1025
Request:	TNZD Map Amendment
Project Name:	Bridgehaven Expansion
Location:	950, 964, 966, & 968 S 1st St
Owner:	Bridgehaven, Inc.
Applicant:	VBN Architects
Representative:	Gresham, Smith & Partners
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Joel Dock, AICP, Planner II

REQUEST(S)

- **TNZD Map Amendment** from Neighborhood General, Multi-family Residential to Neighborhood General, Institutional
- **Revised Detailed District Development Plan**

CASE SUMMARY

An expansion to an existing community service facility is proposed. The expansion requires that the TNZD map be amended. The existing facility is located at 950 S. 1st Street, north of W. Kentucky Street. The subject site of the map amendment at 964-968 S. 1st Street is located south of the existing facility on the south side of an alley that separates the two properties. The proposed improvements are as follows:

- 5,730 sq. ft. expansion, relocated ADA parking, dumpster enclosure, and removal of 5 parking spaces at 950 S. 1st Street
- Pedestrian Bridge across alley connecting the existing to the proposed expansion
- 13,200 sq. ft., 40 ft. in height structure with 17 parking spaces and vehicle use area landscaping

Previous cases on site

9-58-77: CIZ from R-10 to C-2 (approved November, 1977). RDDDP approved April 21, 2000

9-19-79: CIZ from R-10 to C-2 (approved June 21, 1979)

STAFF FINDING

The TNZD map amendment is in conformance with the Guidelines and Policies of Cornerstone 2020, the traditional pattern, and the urban residential character of the area. The architectural integrity of the proposal has been reviewed and approved by the Old Louisville Architectural Review Committee. The subject site is located in a walkable and connected urban neighborhood. It provides a community service to help meet the needs of a diverse population at an appropriate location.

TECHNICAL REVIEW

Amendments to the TNZD map to a “permitted use where mapped” do not require legislative action. The Planning Commission is required to hold at least one public hearing after notice has been sent to 1st tier adjoining property owners 30-days in advance of the hearing. The Planning Commission may

approve the proposed TNZD Plan amendment if it finds that the proposed land use change conforms to the Comprehensive Plan, the traditional pattern, the urban residential character of the area as described in the TNZD Plan.

TNZD map amendments are not “plan certain”. However, the site was previously the subject of plan certain development; therefore, the binding elements of those cases “run with the land” and the sites are each subject to binding elements and the standard of review per LDC 11.4.7.

The design of the project was reviewed and approved by the Old Louisville Architectural Review Committee on August 22, 2018 and any alterations of this design require additional review and approval by Historic preservation staff.

Commissioner Brown requested that the applicant confirm the accuracy of the rear property lines at 964 S. 1st Street on Lot 2 of the proposed development. An alley runs north/south from W. Kentucky Street to an east/west alley that serves the larger Bridgehaven complex and the rear of multiple properties having frontage on both S. 1st and 2nd Streets. The alley is improved and appears to provide adequate conditions for through traffic. It would be appropriate for the Planning Commission to request that right-of-way is dedicated to maintain the alley for the public street network as it presently operates. A binding element would be needed to secure any additional right-of-way.

STAFF ANALYSIS FOR TNZD MAP AMENDMENT

Following is staff’s analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020, the traditional pattern, and the urban residential character of the area as described in the TNZD Plan.

The site is located in the Traditional Neighborhood Form District

The Traditional Neighborhood Form District is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces

Traditional Pattern and Urban Residential Character

The TNZD pattern is generally characterized by these features:

- a. A variety of housing types. This allows younger and older people, singles and families, and people with a wide range of incomes to have places to live. Examples include detached houses on small, standard, or large lots, duplexes, row houses, and apartment buildings;
- b. A network of connected streets and walkways. Traditional neighborhood streets provide a variety of transportation routes and disperse traffic. Streets are relatively narrow and most are tree lined to create a pleasant environment;
- c. Civic or institutional buildings such as schools, libraries, museums, meeting halls, places of worship, and day care facilities may occupy prominent places in the traditional neighborhood. Civic or institutional uses should be encouraged to use buildings originally designed for those uses to assure their preservation as part of the community fabric and may have public open space around the buildings. Civic buildings have a distinctive form to differentiate their role from that of other buildings;
- d. A human building scale described by a variety of many separate buildings on small lots to generate a cohesive pattern that allows streets to be civic places. Building heights vary, with one to four story structures typical in the TNZD. Buildings in the Traditional Neighborhood Center should generally be four stories and placed close to the sidewalk, creating a strong sense of spatial definition, while buildings in the Traditional Neighborhood General are usually set back from the sidewalk reflecting the predominant setback pattern along the block face. Buildings in the Traditional Neighborhood Transition--Center should also reflect the predominant setback pattern along the block face.
- e. Open space and natural features, such as trees of high quality and significant tree stands, wetlands, streams, and steep slopes, are retained, linked where possible and incorporated into the traditional neighborhood pattern; and
- f. Cultural resources, such as historic buildings, districts and landscapes, are preserved and reused in the TNZD.

The proposal expands an existing community service facility upon vacant land and does not impact the use of land intended commercial activities. It is located in an urban area with a sufficient population to serve the use and provides a variety of services to meet the needs of the community. It does not constitute a non-residential expansion into an existing residential area as the site abuts multiple non-residential uses and the architecture and scale is compatible with the area. Appropriate transitions are provided between uses that are substantially different in scale and intensity as all required landscape buffers are provided. Multiple parks and open spaces are within the general vicinity and the site is appropriately located within proximity of employment and population centers.

The proposed building materials increase the new development's compatibility. The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value. New construction has been proposed which has been reviewed and approved by the Old Louisville Architectural Review Committee and found to be appropriately designed and compatible with the architectural character of the neighborhood.

The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation as connectivity to public ways and inter-connectivity between affected sites is provided, as well as bike parking. The site is located along an arterial roadway with transit service in a walkable urban neighborhood. Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts as these areas are located to the rear, served by an alley, and landscaping is provided.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DETAILED DISTRICT DEVELOPMENT PLAN

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites will be provided. The site does not contain any significant natural resources. The proposed development has been reviewed and approved by the Old Louisville Architectural Review Committee and found to be appropriately designed and compatible with the architectural character of the neighborhood.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community are provided as connectivity to public ways and inter-connectivity between affected sites is provided, as well as bike parking. The site is located along an arterial roadway with transit service in a walkable urban neighborhood.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: Multiple parks and open spaces are within the general vicinity

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The development is compatible as the Old Louisville Architectural Review Committee has reviewed the project and found it to be appropriately designed and compatible with the architectural character of the neighborhood.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The proposed development plan conforms to the Comprehensive Plan as demonstrated in the staff analysis for TNZD map amendment and Cornerstone 2020 staff analysis.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the **TNZD Map Amendment** from Neighborhood General, Multi-family Residential to Neighborhood General, Institutional
- **APPROVE** or **DENY** the **Revised Detailed District Development Plan** subject to the deletion of existing binding elements and acceptance of the proposed binding elements

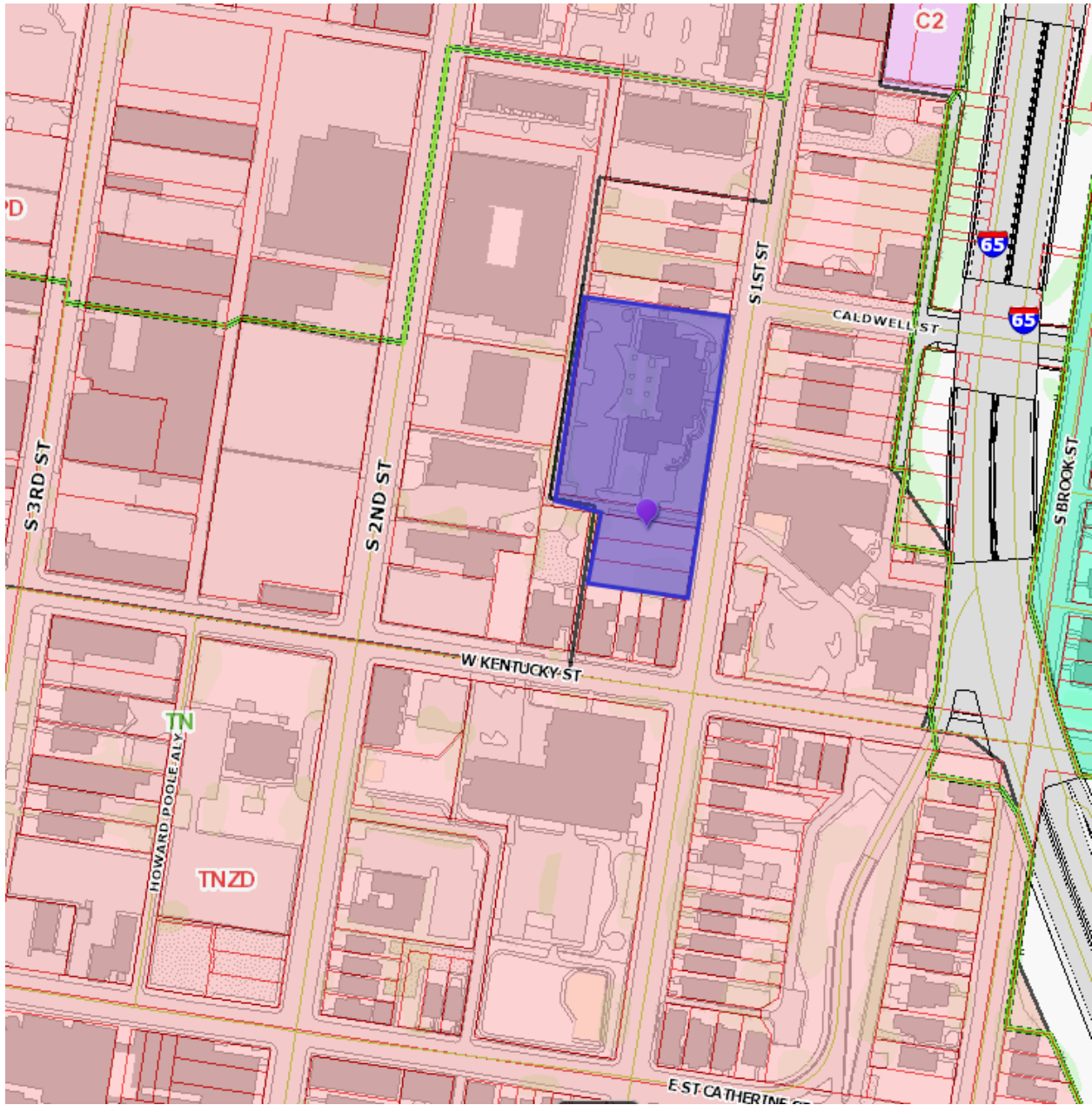
NOTIFICATION

Date	Purpose of Notice	Recipients
10/1/18	Hearing before LD&T	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4 & 6
10/15/18	Hearing before Planning Commission	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4 & 6
11/1/18	Hearing before PC	Sign Posting on property

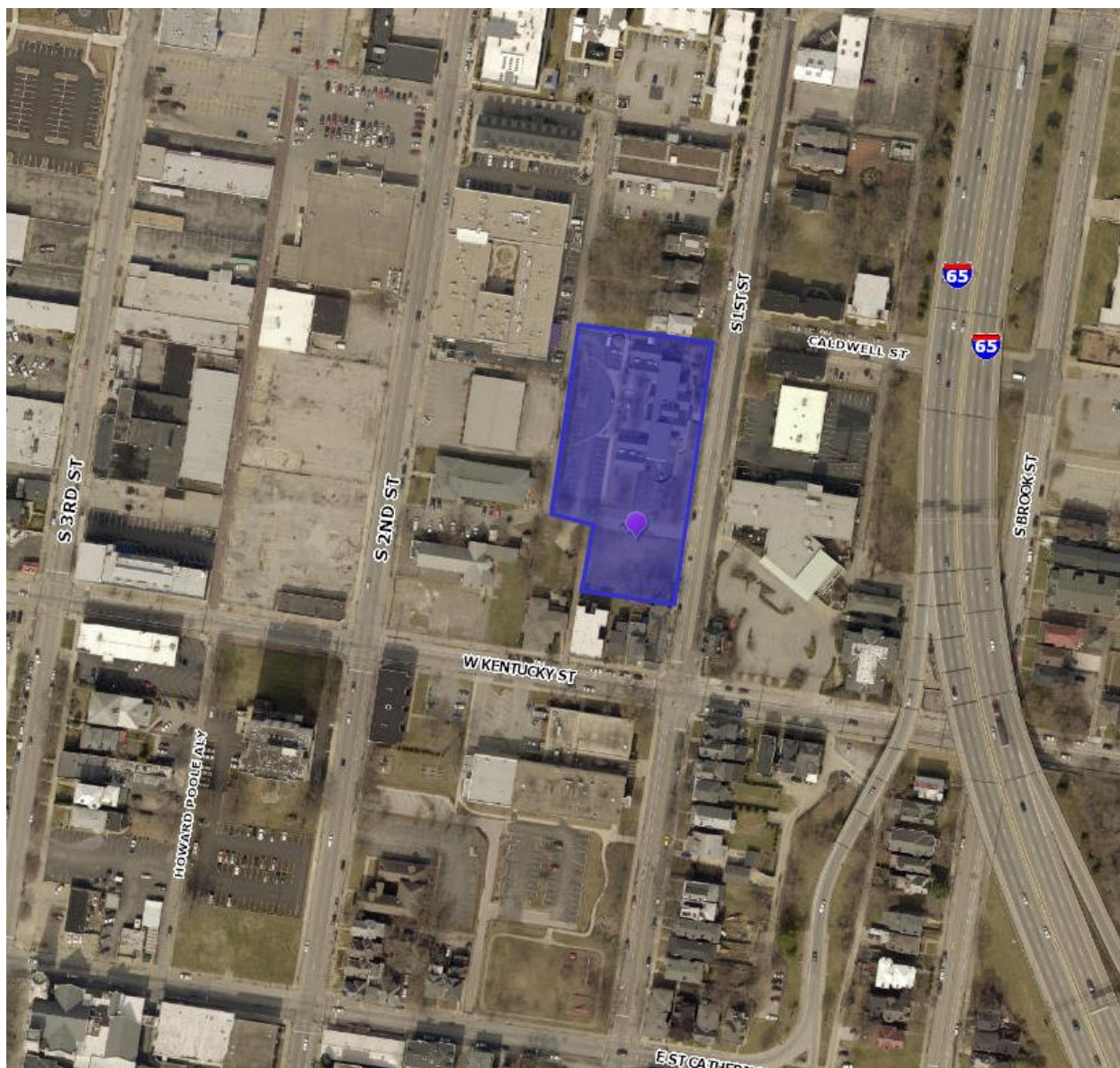
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist
4. Existing Binding Elements (9-58-77)
5. Existing Binding Elements (9-19-79)
6. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Analysis

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

Traditional Neighborhood: Non-Residential

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
1	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves the existing grid pattern of streets, sidewalks and alleys.	✓	The proposal does not impact the existing use of the public network.
2	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal introduces an appropriately-located neighborhood center including a mix of neighborhood-serving uses such as offices, shops and restaurants.	✓	The proposal expands an existing community service facility upon vacant land and does not impact the use of land intended commercial activities.
3	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves public open spaces, and if the proposal is a higher density use, is located in close proximity to such open space, a center or other public areas.	✓	The proposal does not impact the use of public open spaces and is located in an urban neighborhood.
4	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves and renovates existing buildings if the building design of these structures is consistent with the predominate neighborhood building design.	✓	The proposal introduces new construction which has been reviewed and approved by the Old Louisville Architectural Review Committee and found to be appropriately designed and compatible with the architectural character of the neighborhood.
5	Community Form/Land Use Guideline 2: Centers	A.1/7: The proposal, which will create a new center, is located in the Traditional Neighborhood Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use.	✓	The proposal introduces new construction which has been reviewed and approved by the Old Louisville Architectural Review Committee and found to be appropriately designed and compatible with the architectural character of the neighborhood.
6	Community Form/Land Use Guideline 2: Centers	A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it.	✓	The proposal is in an urban area with a sufficient population to serve the use.
7	Community Form/Land Use Guideline 2: Centers	A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment.	✓	The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
8	Community Form/Land Use Guideline 2: Centers	A.5: The proposed center includes a mix of compatible land uses that will reduce trips, support the use of alternative forms of transportation and encourage vitality and sense of place.	✓	The proposal expands an existing community service facility upon vacant land and does not impact the use of land intended commercial activities. It provides for connectivity and the use of alternative forms of transportation. It puts to use currently vacant land to provide a community service.
9	Community Form/Land Use Guideline 2: Centers	A.6: The proposal incorporates residential and office uses above retail and/or includes other mixed-use, multi-story retail buildings.	✓	The proposed community service facility provides a variety of services to serve the needs of the community.
10	Community Form/Land Use Guideline 2: Centers	A.12: If the proposal is a large development in a center, it is designed to be compact and multi-purpose, and is oriented around a central feature such as a public square or plaza or landscape element.	NA	The proposal is not a large development and does not create a new center.
11	Community Form/Land Use Guideline 2: Centers	A.13/15: The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns.	✓	The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns as parking facilities will be shared amongst all property involved and connect to an alleyways which serve as primary access to parking facilities.
12	Community Form/Land Use Guideline 2: Centers	A.14: The proposal is designed to share utility hookups and service entrances with adjacent developments, and utility lines are placed underground in common easements.	✓	The proposal is located in the urban services districts and utilities would appear to be available.
13	Community Form/Land Use Guideline 2: Centers	A.16: The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities.	✓	The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities as pedestrian connectivity and interconnectivity between affected property and bike parking is provided.
14	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	✓	The proposed building materials increase the new development's compatibility. These materials have been reviewed and approved by the Old Louisville Architectural Review Committee and found to be appropriately designed and compatible with the architectural character of the neighborhood

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
15	Community Form/Land Use Guideline 3: Compatibility	A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated.	✓	The proposal does not constitute a non-residential expansion into an existing residential area as the site abuts multiple non-residential sites and the proposed use provides a community service to the area.
16	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	✓	The proposal mitigates any potential odor or emissions associated with the development.
17	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	✓	The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities as the site is located along a collector level roadway which is intended to serve a wide variety of high intensity uses. the use is limited in intensity and provides a community service.
18	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	✓	Lighting will be complaint with LDC 4.1.3.
19	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	✓	The proposal is located in a walkable neighborhood along a transit route.
20	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	✓	The proposal provides appropriate transitions between uses that are substantially different in scale and intensity as all required landscape buffers are provided.
21	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	✓	The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs as landscaping is being provided as required.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
22	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	✓	Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards as the development is located at or near the right-of-way consistent with a traditional pattern for non-residential development.
23	Community Form/Land Use Guideline 3: Compatibility	A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians.	✓	Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts as these areas are located to rear, served by an alley, and landscaping is provided.
24	Community Form/Land Use Guideline 3: Compatibility	A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street.	✓	The proposal includes screening and buffering of parking and circulation areas adjacent to the street as required by Ch. 10 of the LDC.
25	Community Form/Land Use Guideline 3: Compatibility	A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance.	NA	No garages are proposed.
26	Community Form/Land Use Guideline 3: Compatibility	A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	✓	Signage will be in conformance with Ch. 8 of the LDC
27	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	✓	The proposal is located in an urban area which is served by multiple parks and open spaces in the general vicinity.
28	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District.	NA	Not in NFD
29	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	✓	No significant natural features are located on the affected property

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
30	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	✓	The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems as no significant natural features are present.
31	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	✓	The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value as the proposal introduces new construction which has been reviewed and approved by the Old Louisville Architectural Review Committee and found to be appropriately designed and compatible with the architectural character of the neighborhood.
32	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.	✓	Development is not located in area with highly permeable or unstable soils.
33	Marketplace Guideline 6: Economic Growth and Sustainability	A.2: Ensure adequate access between employment centers and population centers.	✓	The site is appropriately located within proximity of employment and population centers and provides a community service.
34	Marketplace Guideline 6: Economic Growth and Sustainability	A.3: Encourage redevelopment, reinvestment and rehabilitation in the downtown where it is consistent with the form district pattern.	✓	The proposal constitutes reinvestment within close proximity to the central business district.
35	Marketplace Guideline 6: Economic Growth and Sustainability	A.4: Encourage industries to locate in industrial subdivisions or adjacent to existing industry to take advantage of special infrastructure needs.	NA	Not an industrial development
36	Marketplace Guideline 6: Economic Growth and Sustainability	A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas.	✓	The subject site is located along an arterial roadway providing transit service.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
37	Marketplace Guideline 6: Economic Growth and Sustainability	A.8: Require industrial development with more than 100 employees to locate on or near an arterial street, preferably in close proximity to an expressway interchange. Require industrial development with less than 100 employees to locate on or near an arterial street.	NA	Not an industrial development
38	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	✓	The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.
39	Mobility/Transportation Guideline 7: Circulation	A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation.	✓	The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation as connectivity to public ways and inter-connectivity between affected sites is provided, as well as bike parking. The site is located along a transit route.
40	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	✓	The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands as an appropriately located community service is being provided which connects to the urban street network.
41	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	✓	Right-of-way will be dedicated as deemed appropriate by the Planning Commission.
42	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	✓	The proposal includes adequate parking spaces to support the use as the expanded use provides an equivalent portion of parking as demanded by the existing use.
43	Mobility/Transportation Guideline 7: Circulation	A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites.	✓	Access for vehicles is provided with connectivity to rear and side alleys and pedestrian connectivity is provided via pedway over an alley.

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44	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	✓	The proposal does not include the creation of new roadways
45	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	✓	Access to the subject property is through areas of similar intensity.
46	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	✓	The proposal does not include the creation of new roadways
47	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	✓	The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity as the site is located along an arterial roadway with transit service in a walkable urban neighborhood.
48	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.	✓	The proposal's drainage plans have been approved by MSD.
49	Livability/Environment Guideline 12: Air Quality	The proposal has been reviewed by APCD and found to not have a negative impact on air quality.	✓	The proposal has been reviewed by APCD and found to not have a negative impact on air quality
50	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	✓	The affected property does not contain any natural corridors
51	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	✓	The proposal is located in an area served by existing utilities or planned for utilities.
52	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	✓	The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
53	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	✓	The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.

4. Existing Binding Elements (9-58-77)

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The development shall not exceed 17,000 square feet of gross floor area.
3. There shall be no freestanding sign permitted on site without prior approval. Monument style signs that meet the size and height limits established in the "Policies for Future Development Along Designated Parkways" may be approved by DPDS staff. Signs that exceed those limits are permitted only if approved by LD&T or the Commission. LD&T or the Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.
4. No outdoor advertising signs, small free-standing signs, pennants, balloons, or banners shall be permitted on the site.
5. There shall be no outdoor storage on the site.
6. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff and height of the light standard shall be set so that no light source is visible off-site.
7. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from the City of Louisville Department of Inspections, Permits and Licenses (617 W. Jefferson Street) and the Metropolitan Sewer District (700 West Liberty).
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Development Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
8. If a building permit is not issued within one year of the date of approval of the plan, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
9. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

10. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA.
11. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
12. The entire site as shown on the Detailed District Development Plan shall be subject to Article 8.1 Plan Certain Review.

5. Existing Binding Elements (9-19-79)

1. The size and location of any permanent advertising sign will be submitted to the Planning Commission for approval prior to issuance of any sign permit.
2. The proposed development will be constructed in accordance with the approved district development plan.
3. The developer shall obtain approval of the Executive Director of a plan for screening (buffering, landscaping) along the south property line prior to issuance of building permits and such plan shall be implemented prior to occupancy and maintained thereafter ,
4. The plan must be reapproved by the Water Management Section of the Jefferson County Works Department and the Traffic Engineering Department before building permits are reissued.
5. Unless use in accordance with the approved plan and binding elements have been substantially established within one year from the date of approval of the plan or rezoning whichever is later, the property may not be used in any manner until such time as a district development plan has been approved by the Planning Commission

6. Proposed Binding Elements (18ZONE1025)

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small free-standing signs, pennants, balloons, or banners shall be permitted on the site.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, or alteration permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
6. The proposed development must conform to the approval received by the Old Louisville Architectural Review Committee on August 22, 2018. Any changes to the approved proposal shall be submitted to Urban Design staff for review and approval prior to installation.
7. A license agreement with the Department of Public Works and Assets shall be secured for the proposed pedestrian bridge as shown on the approved development plan prior to construction plan approval. The pedestrian bridge shall maintain 14 feet of clearance from its lowest point to the grade of the local roadway/alley.